

Application Serial No. 10/615,041
Reply to Office Action of November 25, 2009

PATENT
Docket: CU-5982

REMARKS

In the Office Action, dated November 25, 2009, the Examiner states that Claims 1, 5-8, 10-13, 15-19, 21-24 and 30-48 are pending, Claims 1, 5-8, 11-13, 15-19, 21-24 and 30-48 are rejected and Claim 10 is objected to. By the present Amendment, Applicant amends the claims.

At the outset, Applicant would like to thank Examiner Angebrannt for his time over the telephone on January 25, 2010. During the telephonic interview, the independent claims that are directed to the acrylate group series (Claims 18, 23, 24, 32, 37 and 38) were discussed and Applicant's understanding was that if these claims were amended to include the organic-inorganic hybrid polymer, they should be in condition for allowance.

Rejection under 35 U.S.C. §112

Claims 43-48 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite. However, Applicant has cancelled these claims by the present amendment, rendering their rejection moot. These claims were cancelled solely in the interest of advancing prosecution and without prejudice or disclaimer of the subject matter thereof. Applicant reserves the right to file one or more continuation or divisional applications directed to the subject matter of these claims.

Rejections under 35 U.S.C. §103(a)

Claims 32-34 and 37-38 are rejected under 35 U.S.C. §103(a) as being unpatentable over Sugawara et al. (JP 05-273899) in view of Toba et al. (JP 06-175554). Claims 18, 19, 21-24 and 43-48 are rejected under 35 U.S.C. §103(a) as being unpatentable over Sugawara et al. in view of Morii et al. '378. Claims 32-42 are rejected under 35 U.S.C. §103(a) as being unpatentable over Sugawara et al. in view of Toba et al. and Ito et al. (JP 08-016077). Claims 1, 5, 7, 8, 11-12, 15-17 and 30-31 are rejected under 35 U.S.C. §103(a) as being unpatentable over Kashiwagi et al. (JP 03-123715) in view of Toda et al. (JP 06-130879). Claims 1, 5, 7, 8, 11-12, 15-17 and 30 are rejected under 35 U.S.C. §103(a) as being unpatentable over Kawabata et al. '340 in view of Kashiwagi et al. Claims 1, 5, 7, 8, 11-13, 15-17 and 30 are rejected under 35 U.S.C. §103(a) as being unpatentable over Kawabata et al. and Kashiwagi et al. in view of Morii et al. '378. Claims 1, 5-8, 11-13, 15-17 and 30 are rejected under 35 U.S.C. §103(a) as being unpatentable over Kawabata et al. and Kashiwagi et al. in view of Boutevin et al. '312. Applicant respectfully disagrees

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with and traverses these rejections.

However, Applicant notes page 9 of the Office Action which indicates that Claim 10 could be allowable if rewritten in independent form, including all of the features from the base claim and any intervening claims. Also, Applicant notes that the Office Action considers that the independent claims could be allowable if the binder recited therein were was the organic-inorganic hybrid polymer.

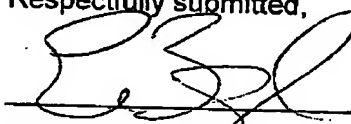
Applicant indicates that the currently pending independent claims have been amended to recite that the binder is the organic-inorganic hybrid polymer. As such, Applicant respectfully asserts that the currently pending independent claims are now allowable over the cited prior art.

Since the independent claims are allowable over the prior art, Applicant asserts that all claims depending therefrom are allowable for at least the same reasons, as well as for the features that they recite. As such, Applicant respectfully requests withdrawal of the present rejections under 35 U.S.C. §103(a).

In light of the foregoing response, all the outstanding objections and rejections are considered overcome. Applicant respectfully submits that this application should now be in condition for allowance and respectfully requests favorable consideration.

May 24, 2010
Date

Respectfully submitted,



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